

S. R. No. 134—By Senator Schwartz: Memorial resolution for Mrs. Margaret Wiley Weaver.

S. R. No. 135—By Senator Schwartz: Memorial resolution for T. J. (Tony) Bogatto.

Welcome Resolution

S. B. No. 126—By Senator Hall: Extending welcome to Mr. and Mrs. Ken Lambert et al.

Adjournment

On motion of Senator Aikin the Senate at 11:50 o'clock a.m. adjourned until 11:00 o'clock a.m. tomorrow.

APPENDIX

Sent to Governor

January 27, 1971

S. C. R. No. 6

ELEVENTH DAY

(Thursday, January 28, 1971)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present:

Aikin	Hightower
Beckworth	Jordan
Bernal	Kennard
Blanchard	Kothmann
Bridges	Mauzy
Brooks	McKool
Christie	Moore
Connally	Patman
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Word

Absent—Excused

Bates	Wilson
Ratliff	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence

Senator Wilson was granted leave of absence for today on account of important business on motion of Senator Moore.

Senator Bates was granted leave of absence for today on account of important business on motion of Senator Aikin.

Senator Ratliff was granted leave of absence for today on account of important business on motion of Senator Herring.

Senate Bills on First Reading

The following bills were introduced, read first time and referred to the Committee indicated:

By Senator Hall:

S. B. No. 132, A bill to be entitled "An Act relating to punishment for contempt; amending Article 1911, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

To Committee on Jurisprudence.

By Senator Hall:

S. B. No. 133, A bill to be entitled "An Act repealing Article 1929, Revised Civil Statutes of Texas, 1925, relating to the absence from office of a county judge; and declaring an emergency."

To Committee on Jurisprudence.

By Senator Patman:

S. B. No. 134, A bill to be entitled "An Act providing for the licensing of milk testing operators, milk haulers and equipment used to determine component parts of milk; amending Article 5736b, Revised Civil Statutes of Texas, 1925 (Article 1057b, Vernon's Texas Penal Code); repealing Article 5736a, Revised Civil Statutes of Texas, 1925; repealing Article 5736c, Revised Civil Statutes of Texas, 1925, as amended (Article 1057c, Vernon's Texas Penal Code); amending Article 5736d, Revised Civil Statutes of Texas, 1925, as amended; pro-

viding a severability clause; and declaring an emergency."

To Committee on Agriculture and Livestock.

By Senator Jordan:

S. B. No. 135, A bill to be entitled "An Act relating to the exemption of persons employed as firemen from tuition and laboratory fees for courses in fire science offered by state-supported institutions of collegiate rank; and declaring an emergency."

To Committee on Education.

By Senator Harrington:

S. B. No. 136, A bill to be entitled "An Act amending the following-numbered sections and subsections of Chapter 127, Acts of the 60th Legislature, Regular Session, 1967 (Article 6228g, Vernon's Texas Civil Statutes), viz.: amending paragraph (a), Subsection 1 of Section IV of said Act; amending Subsection 1 of Section VI of said Act; amending Subsection 11 of Section VI of said Act; and amending Subsection 7 of Section VIII of said Act; declaring the Act to be severable; and declaring an emergency."

To Committee on County, District and Urban Affairs.

By Senator McKool:

S. B. No. 137, A bill to be entitled "An Act relating to the creation and powers of a State Board of Interior Designers and Decorators and the regulation and licensing of interior designers and decorators; prescribing penalties; and declaring an emergency."

To Committee on State Affairs.

By Senator McKool:

S. B. No. 138, A bill to be entitled "An Act relating to the creation, powers, and duties of the Texas Foreign Trade Commission; and declaring an emergency."

To Committee on State Affairs.

By Senator Word:

S. B. No. 139, A bill to be entitled "An Act to amend Section 2 of Article 10.58, Subchapter B of Chapter 10, Title 122A, Taxation—General, Revised Civil Statutes of Texas, as amended; and declaring an emergency."

To Committee on State Affairs.

By Senator Moore:

S. B. No. 140, A bill to be entitled "An Act relating to the creation, organization, powers, duties, and procedures of the Texas Motor Vehicle Commission; providing and establishing the requirements for the license of persons engaged in the business as franchise new motor vehicle dealers and new motor vehicle manufacturers and distributors' and their representatives and the renewal of such licenses; providing fees for the issuance of licenses; providing grounds for refusal to license and revocation and suspension of licenses; providing certain prohibited acts on the part of franchise new motor vehicle dealers and new motor vehicle manufacturers and distributors and their representatives without regard to the terms of the franchise agreements between the parties; providing for suits for civil penalties and injunction for violation of the Act; providing for appeals from actions taken by the Commission; enacting other provisions relating to the subject; providing for severability of the Act; and declaring an emergency."

To Committee on State Affairs.

By Senator Aikin:

S. B. No. 141, A bill to be entitled "An Act relating to the transfer of unencumbered balances in line-item appropriations, including contingency appropriations, of state aid to public junior colleges to certain junior colleges; and declaring an emergency."

To Committee on Finance.

By Senators Brooks, Harrington and Mauzy:

S. B. No. 142, A bill to be entitled "An Act relating to the authority of an insurer to designate a particular practitioner or practitioners of the healing arts in a policy of accident and sickness insurance and to the form of membership certificates in group hospital plans; relating to the prohibition against group hospital services contracting for medical services; amending Subsection B, Section 2, Chapter 397, Acts of the 54th Legislature, 1955, as amended (Article 3.70-2, Vernon's Texas Insurance Code); amending Articles 20.12 and 20.16, Texas Insurance Code, as amended; providing for severability; and declaring an emergency."

To Committee on Public Health.

By Senator Hightower:

S. B. No. 143, A bill to be entitled

"An Act amending Subsection (b), Section 1.03, Family Code, to include a space for social security numbers on application forms for marriage licenses; and declaring an emergency."

To Committee on Jurisprudence.

By Senator Hightower:

S. B. No. 144, A bill to be entitled "An Act amending Sections 3 and 7, Article 5949, Revised Civil Statutes of Texas, 1925, as amended, to require social security numbers on applications and bonds for notaries public; and declaring an emergency."

To Committee on Jurisprudence.

(President in Chair.)

Resolution Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled resolution:

H. C. R. No. 15.

Message From the Governor

The following message received from the Governor was read and was referred to the Committee on Nominations:

Austin, Texas,
January 28, 1971.

To the Senate of the Sixty-Second Legislature:

I ask the advice, consent, and confirmation of the Senate with respect to the following appointment:

To be a Member of the Board of Regents of Texas Tech University: To fill the unexpired term of James J. Ling, of Dallas, Dallas County, resigned, term to expire January 31, 1975: Charles G. Scruggs, Vice President & Editor, The Progressive Farmer, 546 Rio Grande Bldg., Dallas, Texas 75202. (Residence: 7148 Wild Valley Drive, Dallas, Texas 75231).

Respectfully submitted,
PRESTON SMITH,
Governor of Texas

Senate Concurrent Resolution 11

Senator Harrington offered the following resolution:

S. C. R. No. 11, Providing for the appointment of a committee of five (5) members to designate a Poet Laureate of the State of Texas.

The resolution was read.

On motion of Senator Harrington, and by unanimous consent, the resolution was considered immediately and was adopted.

Senate Resolution 150

Senator Hightower offered the following resolution:

Be it Resolved by the Senate of the 62nd Legislature, Regular Session, That in the furtherance of the legislative duties and responsibilities of the Senate, the Administration Committee is hereby authorized and directed to pay for salaries, stamps, telephone service, office rent, office equipment and supplies and other reasonable and necessary expenses for the use of the Members of the Senate during the 62nd Legislature in regular and/or Special Sessions. Expenditures for these services hereby authorized as an expense of the Senate shall not be restricted to Austin, but may be incurred and reimbursed with contingent funds of the Senate to the individual senatorial districts. Such expenses shall be paid from the contingent fund, or any other funds appropriated for the use of the Senate on vouchers approved by the Chairman of the Administration Committee and the Lieutenant Governor in accordance with regulations governing such expenditures.

The resolution was read and was adopted.

Reports of Standing Committees

Senator Hall submitted the following report for the Committee on County, District and Urban Affairs:

S. B. No. 40.

Senator McKool submitted the following report for the Committee on Privileges and Elections:

S. B. No. 110 (Amended).

Senator Aikin submitted the following reports for the Committee on Finance:

S. B. No. 107.

S. B. No. 108.

Senator Harris submitted the following report for the Committee on Constitutional Amendments:

S. J. R. No. 14.

Motion Not to Print Senate Bill 110

Senator McKool requested unanimous consent that S. B. No. 110 be ordered not printed.

There was objection.

Senator McKool withdrew his motion not to print S. B. No. 110.

Senate Bill 110 Ordered Not Printed

Senator Bernal requested unanimous consent that S. B. No. 110 be ordered not printed.

There was objection.

Senator Bernal then moved that S. B. No. 110 be ordered not printed.

The motion prevailed by the following vote:

Yeas—25

Aikin	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Schwartz
Creighton	Sherman
Hall	Snelson
Harrington	Wallace
Herring	Watson
Hightower	Word
Jordan	

Nays—3

Connally	Harris
Grover	

Absent—Excused

Bates	Wilson
Ratliff	

Co-Author of Senate Bill 86

On motion of Senator Hall, and by unanimous consent, Senator Sherman will be shown as Co-author of S. B. No. 86.

Senate Bill 23 on Second Reading

Senator McKool moved that Senate Rules 13 and 110 be suspended and that S. B. No. 23 be taken up for consideration at this time.

The motion prevailed.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 23, A bill to be entitled "An Act relating to the assembling, compilation, and preservation in a central location of certain records pertaining to elections; etc., and declaring an emergency."

The bill was read second time.

Senator McKool offered the following Committee Amendment to the bill:

Amend Senate Bill No. 23:

(1) by striking Subdivisions 4, 5, and 6 of quoted Section 12a in Section 1, on lines 1 through 31, page 2; and

(2) by adding a quotation mark at the end of line 66, page 1.

The Committee Amendment was read and was adopted.

(President Pro Tempore in Chair.)

Senator McKool offered the following amendment to the bill:

Amend Senate Bill No. 23 by striking the phrase "requiring the Secretary of State to compile population estimates by county election precincts for each county" in the title, on lines 23 through 31, page 1.

The amendment was read and was adopted.

Senator McKool offered the following amendment to the bill:

Amend S. B. 23 on line 42 after the words "Commissioners Court," insert a comma and add the words, "if such a map is available."

And strike the last sentence of line 48 under Subdivision 1.

The amendment was read and was adopted.

Senator Word offered the following amendment to the bill:

Amend S. B. 23, Subdivision 2, line 57, by changing the period to a comma and adding the following: "where such a map is available."

The amendment was read and was adopted.

On motion of Senator McKool and by unanimous consent the caption

was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 23 on Third Reading

Senator McKool moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 23 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Jordan
Beckworth	Kennard
Bernal	Kothmann
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Connally	Schwartz
Creighton	Sherman
Harrington	Snelson
Harris	Wallace
Herring	Watson
Hightower	Word

Nays—2

Grover	Hall
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Absent—Excused

Bates	Wilson
Ratliff	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Jordan
Beckworth	Kennard
Bernal	Kothmann
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Connally	Schwartz
Creighton	Sherman
Harrington	Snelson
Harris	Wallace
Herring	Watson
Hightower	Word

Nays—2

Grover	Hall
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Absent—Excused

Bates	Wilson
Ratliff	

Senate Bill 110 on Second Reading

Senator Bernal moved that Senate Rules 13, 110 and 36 be suspended and that S. B. No. 110 be taken up for consideration at this time.

The motion prevailed.

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 110, A bill to be entitled "An Act relating to the period for voter registration for the 1971 and 1972 voting years; amending the Texas Election Code by adding Section 43c; providing for a supplemental registration period; and declaring an emergency."

The bill was read second time.

Senator Bernal offered the following Committee Amendment to the bill:

Amend S. B. 110 by striking all language below the enacting clause and substituting the following:

Section 1. The Texas Election Code is amended by adding Section 43c, to read as follows:

"43c. Supplemental registration period for the 1971 voting year.

"Subdivision 1. A supplemental registration period for the 1971 voting year shall begin on the first day of February and end on the last day of February each year following the close of the regular registration period provided for in Section 43a of this Code. Any person eligible to register during the regular period may register during the supplemental period. Except as provided in Subdivision 3 of this section, a registration during the month of February does not become effective before the first day of April following the registration, and the registrant becomes eligible to vote on the first day of April or on the date on which he fulfills the age and residence requirements for voting, whichever is later. The registrar shall enter on each voter's registration certificate the date on which he will become eligible to vote.

"Subdivision 2. In making up a supplemental list of registered voters for an election, as required by Section 51a of this code, the registrar shall not place the name of any person registering under the provisions of this section onto a list which is prepared for any election held before the first day of April following the registration.

"Subdivision 3. This section does not supersede Sections 44a and 44b of this code. A person entitled to register under either of those sections who registers during the month of February becomes eligible to vote in accordance with the applicable provision under which he registers."

Section 2. The importance of this legislation and the near approach of the end of the regular registration period for the 1971 voting year create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force and effect from and after its passage, and it is so enacted.

The Committee Amendment was read and was adopted.

On motion of Senator Bernal, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 110 on Third Reading

Senator Bernal moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 110 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Connally
Beckworth	Creighton
Bernal	Grover
Blanchard	Hall
Bridges	Harrington
Brooks	Herring
Christie	Hightower

Jordan	Schwartz
Kennard	Sherman
Kothmann	Snelson
Mauzy	Wallace
McKool	Watson
Moore	Word
Patman	

Nays—1

Harris

Absent—Excused

Bates	Wilson
Ratliff	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Jordan
Beckworth	Kennard
Bernal	Kothmann
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Herring	Word
Hightower	

Nays—1

Harris

Absent—Excused

Bates	Wilson
Ratliff	

Senate Concurrent Resolution 12

Senator Herring offered the following resolution:

S. C. R. No. 12, Extending best wishes to Howard P. Steinle upon his retirement as Secretary of the Board of Law Examiners.

The resolution was read.

On motion of Senator Herring, and by unanimous consent, the resolution was considered immediately and was adopted.

Senate Concurrent Resolution 13

Senator Herring offered the following resolution:

S. C. R. No. 13, Providing for a Joint Session on Friday, February 12, 1971 at 2:30 p.m. to pay tribute to valiant Texans now held in prisoner-of-war camps and to their courageous families.

The resolution was read.

On motion of Senator Herring, and by unanimous consent, the resolution was considered immediately and was adopted.

Memorial Resolutions

S. R. No. 136—By Senator Watson: Memorial resolution for Roy Bertrand, Sr.

S. R. No. 137—By Senator Watson: Memorial resolution for Mrs. A. D. (Beatrice) Baker.

S. R. No. 138—By Senator Watson: Memorial resolution for Guss A. Stein, Jr.

S. R. No. 139—By Senator Watson: Memorial resolution for Dr. John E. Green, Sr.

S. R. No. 140—By Senator Hightower: Memorial resolution for Mrs. D. E. (Roma) Hall (Amended).

S. R. No. 142—By Senator Blanchard: Memorial resolution for Mrs. Joyce Reeves Matthews.

S. R. No. 143—By Senator Watson: Memorial resolution for John Millard Parsons.

S. R. No. 144—By Senator Blanchard: Memorial resolution for Allen E. Gardner.

S. R. No. 145—By Senator Watson: Memorial resolution for Mrs. Charles F. Kincannon.

S. R. No. 146—By Senator Blanchard: Memorial resolution for Charles Eugene Bruton.

S. R. No. 148—By Senator Snelson: Memorial resolution for Hance Smyth.

S. R. No. 149—By Senator Snelson: Memorial resolution for Charles Robert Gurley.

S. R. No. 152—By Senators Schwartz and Herring: Memorial resolution for John Nations.

Welcome and Congratulatory Resolutions

S. R. No. 141—By Senator Watson: Extending congratulations to Sergeant Thomas E. Baird.

S. R. No. 147—By Senator Brooks: Extending welcome to J. J. Ligi.

S. R. No. 151—By Senator Herring: Extending welcome to citizens from Austin State Hospital.

S. R. No. 153—By Senator Christie: Extending birthday congratulations to Senator Max Sherman.

S. R. No. 154—By Senator Herring: Extending welcome to teachers and students from Walnut Creek Elementary School.

Adjournment

On motion of Senator Aikin the Senate at 11:47 o'clock a.m. adjourned until 11:00 o'clock a.m. Monday, February 1, 1971.

TWELFTH DAY

(Monday, February 1, 1971)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Kennard
Bates	Kothmann
Beckworth	Mauzy
Bernal	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Wilson
Hightower	Word
Jordan	

Absent—Excused

Blanchard Creighton

A quorum was announced present.